

Message Text

CONFIDENTIAL

PAGE 01 PRETOR 05275 01 OF 02 051302Z
ACTION AF-10

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01
 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02
 SS-15 USIA-06 DHA-05 TRSE-00 ACDA-07 /082 W
 -----056622 051325Z /45

R 050920Z OCT 77
FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC 9088
INFO AMCONSUL CAPE TOWN
AMCONSUL DURBAN
AMEMBASSY GABORONE
AMCONSUL JOHANNESBURG
USMISSION GENEVA

C O N F I D E N T I A L SECTION 1 OF 2 PRETORIA 5275

E.O. 11652: GDS
TAGS: PINT, PDEV, SHUM, SF
SUBJECT: CISKEI IS GIVEN SWEEPING SECURITY POWERS

1. SUMMARY: ON SEPTEMBER 30, THE SAG GAVE THE CISKEI
HOMELAND GOVERNMENT WIDE POWERS TO DETAIN AND BAN PERSONS
WHO THE CISKEI GOVERNMENT DECIDES ARE WORKING AGAINST ITS
INTERESTS. THE PROCLAMATION ENHANCES THE POWER OF THE
HOMELAND AUTHORITIES TO SILENCE OPPOSITION, AND MAY
INDICATE THE DIRECTION THAT OTHER HOMELANDS ARE LIKELY
TO GO AS THEY ACCEPT OR APPROACH INDEPENDENCE. END SUMMARY.

2. ON SEPTEMBER 30, THE SAG GAZETTED PROCLAMATION R 252,
REGULATIONS FOR THE ADMINISTRATION OF THE CISKEI, WHICH
PROVIDES FOR SWEEPING SECURITY POWERS FOR THE
CISKEIAN HOMELAND GOVERNMENT. BRIEFLY, THE POWERS
GIVEN TO THE CISKEI GOVERNMENT AND MORE SPECIFICALLY
THE CISKEIAN MINISTER OF JUSTICE, ARE AS FOLLOWS:

A) ALL MEETINGS OF MORE THAN TEN PERSONS ARE BANNED
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PRETOR 05275 01 OF 02 051302Z

UNLESS SPECIFICALLY AUTHORIZED BY A LOCAL MAGISTRATE.
EXEMPTED ARE CHURCH SERVICES, FUNERALS, SPORTS OR
ENTERTAINMENT GATHERINGS, FAMILY MEETINGS, OFFICIAL
MEETINGS, CLUB MEETINGS AND THE LEGISLATIVE ASSEMBLY,
ALTHOUGH THESE MEETINGS CAN ALSO BE BANNED ON ORDER
FROM A MAGISTRATE OR POLICE OFFICER, EITHER COMMISSIONED
OR NON-COMMISSIONED. ANY PERSON CAN BE BANNED FROM

ATTENDING OR ADDRESSING A MEETING. IF ANY DOUBT ABOUT THE LEGALITY OF A MEETING EXISTS, "IT SHALL BE PRESUMED, UNLESS THE CONTRARY IS PROVED, THAT SUCH MEETING WAS UNLAWFUL."

B) A PERSON IS GUILTY OF AN OFFENSE IF HE MAKES A STATEMENT INTENDED OR LIKELY TO SUBVERT OR INTERFERE WITH THE AUTHORITY OF THE GOVERNMENT OR ANYONE IN ITS EMPLOY; MAKES A STATEMENT THAT THREATENS ANY PERSON IN THE CISKEI WITH VIOLENCE, BOYCOTT, INCONVENIENCE OR "DISADVANTAGE TO HIS PERSON OR PROPERTY"; ORGANIZES OR PARTICIPATES IN A BOYCOTT OF A MEETING HELD BY GOVERNMENT OFFICIALS; OR TREATS A CHIEF OR HEADMAN WITH "DISRESPECT, CONTEMPT OR RIDICULE."

C) ANY PERSON MAY BE BANNED, WITHOUT PRIOR NOTICE, FROM "ENTERING INTO, BEING IN OR REMAINING IN" THE CISKEI FOR ANY PERIOD THE MINISTER DETERMINES.

D) A PERSON IS GUILTY OF AN OFFENSE IF HE PROMOTES "THE ACHIEVEMENT OF ANY UNLAWFUL OBJECT; "CAUSES OR ENCOURAGES INSURRECTION OR RESISTANCE TO THE GOVERNMENT; FURTHERS OR ENCOURAGES BY VIOLENCE OR FORCIBLE MEANS, "THE ACHIEVEMENT OF ANY POLITICAL AIM...INCLUDING SOCIAL OR ECONOMIC CHANGE; "FURTHERS OR ENCOURAGES ANY POLITICAL AIM, SOCIAL OR ECONOMIC CHANGE IN COOPERATION WITH ANY FOREIGN GOVERNMENT OR INTERNATIONAL BODY"; AND CONFIDENTIAL

CONFIDENTIAL

PAGE 03 PRETOR 05275 01 OF 02 051302Z

EMBARRASSES THE GOVERNMENT OR ANY MEMBER THEREOF "WITHOUT GOOD CAUSE."

3. THE CISKEIAN GOVERNMENT IS GIVEN THE RIGHT TO DETAIN OR ARREST PERSONS GUILTY OF THE ABOVE TRANSGRESSIONS FOR A MAXIMUM OF 90 DAYS, PRESUMABLY WITHOUT CHARGE. ANY PERSON CONVICTED OF THESE OFFENSES WILL BE LIABLE TO A MAXIMUM FINE OF RAND 600 OR THREE YEARS IN PRISON OR BOTH. "NO COURT SHALL HAVE JURISDICTION TO ORDER THE RELEASE FROM CUSTODY OF ANY PERSON DETAINED" UNDER THESE REGULATIONS. CHIEF MINISTER SEBE HAS DEFENDED R 252 AS EMERGENCY LEGISLATION THAT WILL BE WITHDRAWN WHEN DISTURBANCES HAVE ENDED.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 PRETOR 05275 02 OF 02 051307Z
ACTION AF-10

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02
SS-15 USIA-06 DHA-05 TRSE-00 ACDA-07 /082 W
-----056789 051326Z /45

R 050920Z OCT 77
FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC 9089
INFO AMCONSUL CAPE TOWN
AMCONSUL DURBAN
AMEMBASSY GABORONE
AMCONSUL JOHANNESBURG
USMISSION GENEVA

C O N F I D E N T I A L SECTION 2 OF 2 PRETORIA 5275

4. COMMENT: R 252 GIVES SEBE AND HIS CABINET WIDE AND DISTURBING POWERS. THERE IS A SIMILARITY TO THOSE POWERS GIVEN THE TRANSKEI WHICH BECAME THE LAW OF THE LAND AT INDEPENDENCE AND OBIATED ALL OPPOSITION TO GOVERNMENT POLICIES. IF ANY DIFFERENCES CAN BE PINPOINTED BETWEEN THE TWO SITUATIONS, THEY ARE THAT THE CISKEI WILL HAVE EVEN STRONGER AND EARLIER CONTROL. R 400 IN THE TRANSKEI ORIGINALLY VESTED POWER TO DETAIN IN WHITE OFFICIALS' HANDS, WHEREAS THE NEW REGULATION GIVES POWER DIRECTLY AND IMMEDIATELY TO CISKEI OFFICIALS. AS CHIEFS AND HEADMEN ACCOUNT FOR 29 OR 44 MEMBERS OF THE LEGISLATIVE ASSEMBLY, THE STATUS AND POWER OF THOSE SUPPORTING AND PROMOTING SEPARATE DEVELOPMENT WILL BE ENHANCED. THE NEW REGULATION IS PROBABLY RELATED TO RECENT VIOLENCE IN THE EASTERN CAPE AGAINST CISKEI GOVERNMENT PERSONS AND PREMISES (PRETORIA 5130). IT COULD ALSO BE RELATED TO THE SAG'S DRIVE AGAINST THE BLACK CONSCIOUSNESS MOVEMENT, AS KINGS WILLIAMS TOWN IS A CENTER OF THIS ACTIVITY.

5. THE MOVE MAY ALSO INDICATE THAT SEBE AND HIS PEOPLE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PRETOR 05275 02 OF 02 051307Z

ARE BEGINNING TO CONSIDER FINAL STEPS TOWARDS INDEPENDENCE AND ARE TAKING PRECAUTIONS TO DEAL WITH OPPOSITION ACTIVITY. STRONG OPPOSITION WOULD LIKELY COME FROM THE BLACK PEOPLES CONVENTION AND BLACK COMMUNITY PROGRAMME WHICH RUN PROJECTS THROUGHOUT THE CISKEI. THERE IS SIGNIFICANT OPPOSITION TO INDEPENDENCE IN THE CISKEI, A SITUATION AMPLIFIED EVEN MORE ON THE RAND WHERE RESISTANCE BY URBAN TSWANAS TO BOPHUTHATSWANA'S IMMINENT

INDEPENDENCE IS WIDESPREAD. BOPHUTHATSWANA AND OTHER HOMELANDS
COULD ASSUME AUTHORITY SIMILAR TO THAT REQUIRED BY CISKEI'S
SEBE TO STILL OPPOSITION AS THEY REACH OR APPROACH INDEPENDENCE.

7. FULL TEXT OF THE PROCLAMATION IS BEING POUCHED TO AF/S.
BOWDLER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, PUBLIC ADMINISTRATION, SECURITY CONTROLS
Control Number: n/a
Copy: SINGLE
Sent Date: 05-Oct-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977PRETOR05275
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770363-0160
Format: TEL
From: PRETORIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771091/aaaacztt.tel
Line Count: 176
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: a401f336-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1027884
Secure: OPEN
Status: NATIVE
Subject: CISKEI IS GIVEN SWEEPING SECURITY POWERS
TAGS: PINT, PDEV, SHUM, SF
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/a401f336-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009